

PRESENT

Commissioner Kathy Carter  
Commissioner Lynn Bowers  
Commissioner Rodney Williams  
Commissioner J. W. Bryan  
Mayor William I. May, Jr. (5)

ABSENT

None (0)

The Invocation was given by Sandra Murphree, Associate Pastor, First United Methodist Church. The Pledge of Allegiance was led by John Hammond.

It was moved by Commissioner Carter, seconded by Commissioner Williams, that the reading of the minutes of the April 24, 2006 Regular Meeting; May 8, 2006 Work Session; and May 15, 2006 Special Meeting be approved as distributed. Commissioner Bowers called for the reading of the minutes. Following discussion, the question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting in favor of the motion were none (0). The motion was thereupon adopted.

**Ceremonial Items**

Roy Coubert was recognized following his retirement after 16 years of service with the City Public Works Department.

“AN ORDINANCE REZONING PROPERTY FOR A 3.061-ACRE PARCEL OF PROPERTY LOCATED AT 117 OLD SOLDIERS LANE WITH THE PVA MAP #049-40-06-027.00 FROM RESIDENTIAL “B” DISTRICT (RB) TO PROFESSIONAL OFFICE DISTRICT (PO)” was presented and read. The Ordinance had its first reading April 24, 2006. It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners, Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 7, 2006 Series).

“AN ORDINANCE REZONING PROPERTY FOR A 2.769-ACRE PARCEL OF PROPERTY LOCATED AT 117 LEONARDWOOD DRIVE WITH THE PVA MAP # 050-00-00-067.08 FROM PROFESSIONAL OFFICE DISTRICT (PO) TO PLANNED COMMERCIAL UNIT DEVELOPMENT (PC)” was presented and read. The Ordinance had its first reading April 24, 2006. It was moved by Commissioner Carter, seconded by Commissioner Bowers, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners, Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 8, 2006 Series).

“AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES, CHAPTER 37, PERSONNEL; CITY EMPLOYEES, SECTION 37.34, BIWEEKLY RATES” was presented and read.

“AN ORDINANCE AMENDING ORDINANCE NO. 8, 1983 SERIES BY AMENDING THE CITY OF FRANKFORT ZONING ORDINANCE - ARTICLE 11 IN ITS ENTIRETY TO CREATE “COMPATIBILITY AND DESIGN STANDARDS”; AND AMENDING ARTICLE 5, SECTION 5.04; ARTICLE 6 SECTION 6.034, 6.06, ARTICLE 8 SECTION 8.306, 8.402; AND ARTICLE 10, SECTION 10.271 OF SAID ZONING ORDINANCE REFERENCED WITHIN CHAPTER 152 OF THE FRANKFORT CODE OF ORDINANCES” was presented and read.

“AN ORDINANCE APPROPRIATING OF THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2006-2007” was presented and read.

“AN ORDINANCE AMENDING ORDINANCE NO. 11, 2005 SERIES, AND FRANKFORT CODE OF ORDINANCES SECTIONS 37.32 PAY PLAN (SALARY ORDINANCE)” was presented and read.

“AN ORDER PROHIBITING INDOOR SMOKING IN ALL CITY-OWNED OR OPERATED BUILDINGS AND VEHICLES” was presented. It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the Order be approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Order No. 5, 2006 Series).

**Consent Agenda**

The following miscellaneous and personnel items were presented:

- 6.1 Authorization of a pool usage agreement with the Frankfort Area Swim Team (F.A.S.T.) and the City of Frankfort for use of the Juniper Hill Swimming Pool; agreement for period beginning May 31, 2006 through August 11, 2006 at designated times; F.A.S.T. to pay a fee of \$750, to be credited to Account No. 100.00.44380 (Parks and Recreation);
- 6.2 Rescission of approval of agreement for 2006 Kentucky Changers project to make minor improvements to approximately six (6) moderately low single-family homes; Kentucky Changers unable to provide services as planned; rescinded the \$10,000 earmarked from Frankfort Housing Corporation Account No. 540.00.51100 (Planning and Building Codes);
- 6.3 Authorization of additional funds to the engineering contract with Bell Engineering, Inc. for the new liquid oxygen ozone disinfection system at the Wastewater Treatment Plant; amount of Amendment #3 is \$6,000, bringing total revised contract amount to \$43,000; funds available in Account No. 300.68.56550 (Sewer Department);
- 6.4 Approval of Change Order # 1 with SJ Enterprises, Inc., for the Benson Creek Force Main Replacement Project; change order, in the amount of \$14,833 necessitated by field modifications; total revised contact cost \$210,693; funds available in Account No. 300.68.56550 (Sewer Department);
- 6.5 Authorization for contract award to H.G. Mays, Inc. for paving the roads and parking lot at the Wastewater Treatment Plant; work to be performed under the existing master contract for paving that the City has with H.G. Mays; cost not to exceed \$35,000; funds available in Account No. 300.68.56550 (Sewer Department);
- 6.6 Authorization of Engineering Agreement with Quest Engineers, Inc. for engineering support during negotiations with the Kentucky Environmental and Public Protection Cabinet; contract for services associated with Sanitary Sewer Overflows; costs based on an hourly rate with a \$15,000 cap; funds available in Account No. 200.68.53265 (Sewer Department);
- 6.7 Authorization of Engineering Agreement with Strand Associates, Inc. for engineering support during negotiations with the Kentucky Environmental and Public Protection Cabinet; agreement for engineering support associated with the Combined Sewer System; costs based on an hourly rate with a \$15,000 cap; funds available in Account No. 200.68.53265 (Sewer Department);
- 6.8 Bid award to H. G. Mays, Inc. for 2006-2007 Street Resurfacing; cost at \$48.25/ton for surface mix for a total cost of approximately \$249,000; funds are available in the Municipal Aid Account No. 535.00.51100 (Public Works).
- 6.9 Approval of a supplement to the CSX Pipeline Agreement for the Holmes Street Drainage Project; supplement necessary to accommodate East Main Outlet (EMO) Tunnel alignment and diameter; EMO contractor, Affholder, Inc. required to pay \$1,000 fee to CSX for Supplement to the CSX Permit (Public Works);
- 6.10 Approval of a drainage easement to David Stockton across the city-owned lot (Lot 2) as described on the Leonardwood Drive Extension Plat; drainage easement will allow stormwater runoff from Lot 3 to tie into the existing stormwater drainage system located within the Leonardwood right-of-way (Public Works).

- 6.11 Authorization of a contract extension with FMSM Engineers for Engineering Services associated with the construction of the Ewing Street Force Main crossing of Benson Creek; contract extension due to additional construction time to complete the project, due to permitting issues associated with CSX Transportation and the KY Transportation Cabinet; as of May 1, 2006 the contractor was 113 days behind schedule, and currently being assessed liquidated damages; additional cost of \$9,000 brings total contract cost to \$214,564; funds available in Account No. 300.68.56550 (Sewer Department);
- 6.12 Authorization of advertising for bids for a new Sanitation Department office building; construction to be on city-owned lot located at 301 Rouse Avenue; funding in the amount of \$91,223 is available in the Sanitation Account No.100.65.56550, left over from Recycling Building roof repair project (Public Works);
- 6.13 Authorization of a contract with Thomson West for Legal Publications; contract to allow that McQuillin Municipal Corporations Service be provided in electronic format; other legal services to be provided at fifty-percent discount; contract term to be for 36 months; cost for the McQuillin Municipal Corporations Service to be \$95 per month, with other services discounted 50%; funds available in Account No. 100.20.54320 (City Manager);
- 6.14 Approval of low bid for demolition of 150 Allnut Drive and authorized execution of the Memorandum of Agreement with John Feshal; Contract cost at \$7,600; funds available in Account No.100.70.53295 (Planning and Building Codes).
- 6.15 Personnel:
- Promotion of Jim McCarty to position of Deputy Director, effective 5-23-06 (Parks and Recreation);
  - Retirement of Roy E. Coubert, Tech III, effective 5-31-06, and authorize payment of all accrued vacation as of effective date (Public Works);
  - Retirement of Don Smith, effective 5-31-06, and authorize payment of all accrued vacation and holiday time as of effective date (Police Department);
  - Resignation of Eddie Harrod, Tech I, effective 4-21-06, and authorize oayment of all accrued vacation as of effective date (Public Works).

It was moved by Commissioner Carter, seconded by Commissioner Bryan, that the Consent Agenda be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

It was moved by Commissioner Carter, seconded by Commissioner Bowers, to accept the Mayor's recommendation to appoint Natalie Wilkerson to the Code Enforcement Board to complete a term ending 3-22-07, and to appoint Samuel Devine to the Urban Forestry Board for a term ending 5-8-09. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

**Old Business**

There was discussion concerning development of a draft smoking ban ordinance to consider at the June 12 work session. Commissioner Bowers commented about the process for development of the 2006-2007 Fiscal Year City Budget. Commissioner Williams asked the status of the Staff Report for the Hudson Hollow project.

**New Business**

It was moved by Commissioner Carter, seconded by Commissioner Williams, to add to the agenda as Item 9.3 the retirement of Michael Fitzpatrick from the Fire Department, and to accept his retirement letter, effective May 31, 2006. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Carter, seconded by Commissioner Williams, to authorize an agreement between Save the Grand Theatre, Inc. and the City of Frankfort. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Carter, seconded by Commissioner Williams, to authorize a contract between the City of Frankfort, Save the Grand Theatre, Inc., and Imagistix for reconstruction of the Grand Theatre marquee. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

**Commissioner Comments**

Commissioner Carter spoke concerning the Fire Department addressing project; commended the City Manager and Finance Director for their work on the budget process; and reported on her participation in the recent Reality Store. Commissioner Bowers commented concerning the Habitat for Humanity project; and Commissioner Bryan commended the Finance Director and Department Heads on the budget process.

The meeting adjourned at 6:20 p.m., on a motion by Commissioner Carter, seconded by Commissioner Bryan.

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Mayor

Attest:

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City Clerk